

UNITED STATES DISTRICT COURT

for the
Western District of Washington

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CLERK U.S. DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA	
BY	DEPUTY

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

Scott Tugby and Residence Located at 21712 125th
Street Court East, Bonney Lake, Washington 98391,
more fully described in Attachments A-1 and A-2

Case No. 3:24-mj-05005

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Person Scott Tugby and Residence, more fully described in Attachments A-1 and A-2, incorporated herein by reference.

located in the Western District of Washington, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, incorporated herein by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

Offense Description

21 U.S.C. § 841(a)(1) and 846 Distribution and Possession with Intent to Distribute Controlled Substances, and Conspiracy to Commit these Offenses

The application is based on these facts:

- ☒ See Affidavit of Special Agent Jared Gibb, continued on the attached sheet.

☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented: ☒ by reliable electronic means; or: ☐ telephonically recorded.

Applicant's signature

Jared Gibb, Special Agent

Printed name and title

- ☐ The foregoing affidavit was sworn to before me and signed in my presence, or
- ☒ The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: 01/08/2024

Judge's signature

City and state: Tacoma, Washington

Theresa L. Fricke, United States Magistrate Judge

Printed name and title

AFFIDAVIT

1
2
3 **STATE OF WASHINGTON**)
4) **ss**
5 **COUNTY OF PIERCE**)

6 I, Jared Gibb a Special Agent with the Drug Enforcement Administration, United
7 States Department of Justice, being first duly sworn on oath, depose and state as follows:

AFFIANT BACKGROUND

8
9 1. I am a Special Agent of the Drug Enforcement Administration (DEA), and
10 have been so employed since February 2009. I am currently assigned to the DEA Tacoma
11 Resident Office (TRO) in the Seattle Field Division. I am a criminal investigator of the
12 United States within the definition of 18 U.S.C. § 2510(7), and am empowered by law to
13 conduct investigations and to make arrests for offenses enumerated in Title 21 and Title
14 18 United States Code.

15 2. I received 20 weeks of specialized drug law enforcement training at the
16 DEA training academy in Quantico, Virginia, from September 2008 to February 2009.
17 The training curriculum included comprehensive, formalized instruction in, among other
18 things: basic and complex drug-trafficking investigations, identification of controlled
19 substances, physical and electronic surveillance, utilization of confidential sources,
20 undercover operations and financial/money laundering investigations.

21 3. During my career as a Special Agent, I have been involved in more than
22 one hundred drug-trafficking investigations of varying scope and complexity, from street-
23 level dealers to international drug-trafficking organizations. I was previously assigned to
24 DEA offices in Afghanistan and Colombia, where I worked with host-country
25 counterparts to conduct investigations of international drug-trafficking organizations and
26 money-laundering organizations. I have become familiar with the methods used by
27 individuals engaged in the manufacture, transportation and trafficking of controlled

substances. I have directed the actions of confidential informants and I have acted in an undercover capacity on numerous occasions. I have interviewed informants, suspects, defendants and other experienced drug traffickers regarding the methods and practices utilized by drug traffickers and drug trafficking organizations. I have monitored informant conversations with drug traffickers, as well as drug-related conversations between drug traffickers as part of court-authorized interception of wire communications. I have participated in the preparation of numerous affidavits and the execution of search and arrest warrants for violations of federal and state drug laws. In light of the foregoing, I am familiar with the manner in which illegal drugs are manufactured, transported, stored, and distributed, as well as methods of operation and communication utilized by drug traffickers.

PURPOSE OF AFFIDAVIT

4. This affidavit is submitted in support of an application pursuant to Federal Rule of Criminal Procedure 41 for a search warrant to search the following location and individual:

a. **Target Residence:** 21712 125th Street Court East, Bonney Lake, Washington, as more fully set forth in Attachment A-1, which is incorporated herein by reference.

b. **Scott TUGBY:** the person of Scott TUGBY, associated with the Target Residence at 21712 125th Street Court East, Bonney Lake, Washington and pictured in the photograph in Attachment A-2.

5. As set forth below, I submit that there is probable cause to believe that the aforementioned location and individual will contain or possess evidence, fruits, and instrumentalities of violations of Title 21, United States Code, Sections 841 and 846 (distribution and possession with intent to distribute controlled substances, and conspiracy to commit these offenses). I seek authorization to search and seize items specified in Attachment B, which is incorporated herein by reference.

1 6. The facts set forth in this Affidavit are based on my own personal
2 knowledge; knowledge obtained from other individuals during my participation in this
3 investigation, including other law enforcement officers; review of documents and records
4 related to this investigation; communications with others who have personal knowledge
5 of the events and circumstances described herein; and information gained through my
6 training and experience. Because this Affidavit is submitted for the limited purpose of
7 establishing probable cause in support of the application for a search warrant, it does not
8 set forth each and every fact that I or others have learned during the course of this
9 investigation. When the statements of others are set forth in this affidavit, they are set
10 forth in substance and in part.

11 **SOURCES OF INFORMATION**

12 7. In the following paragraphs, I reference information provided to
13 investigators by four Cooperating Defendants, referred to as “CD1,” “CD2,” “CD3,” and
14 “CD4”:

15 8. Cooperating Defendant 1 (CD1) was arrested in April 2023 by officers of
16 the Puyallup Police Department. CD1 provided information to DEA and partner law
17 enforcement agencies during two post-arrest interviews in May 2023. CD1 provided the
18 information in exchange for potential judicial consideration for future drug and firearms
19 charges. Some of the information reported by CD1 was previously known to investigators
20 and has been independently corroborated through previous investigation. Other
21 information provided by CD1 was unknown to investigators. CD1 made statements
22 against self-interest during the interviews. CD1 has criminal history consisting of arrests
23 and/or convictions for forgery, driving without a valid license, possession of stolen
24 property, residential burglary, possession of a stolen firearm, theft of a firearm, physical
25 control, possession of a controlled substance with intent to distribute, unlawful
26 possession of a firearm, bail jumping, and trespassing. CD1 demonstrated familiarity with
27 various types of controlled substances, their prices and manner of trafficking. CD1 did

1 not provide any information during the interviews that was later determined to be false or
2 misleading.

3 9. Cooperating Defendant 2 (CD2) was arrested in September 2023 by
4 investigators of the DEA and Juneau (Alaska) Police Department (JPD). CD2 provided
5 information to DEA and partner law enforcement agencies during a post-arrest interview
6 in September 2023. CD2 provided the information in exchange for potential judicial
7 consideration for future drug trafficking charges. Some of the information reported by
8 CD2 was previously known to investigators and has been independently corroborated
9 through previous investigation. Other information provided by CD2 was unknown to
10 investigators. CD2 made statements against self-interest during the interview. CD2 has
11 criminal history consisting of arrests and/or convictions for driving under the influence,
12 reckless endangerment, driving without a valid license, possession of drug paraphernalia,
13 destruction of property and unlawful possession of a firearm. CD2 did not provide any
14 information during the interview that was later determined to be false or misleading.

15 10. Cooperating Defendant 3 (CD3) was arrested in September 2023 by
16 investigators of the DEA and JPD. CD3 provided information to DEA and partner law
17 enforcement agencies during a post-arrest interview in September 2023. CD3 provided
18 the information in exchange for potential judicial consideration for future drug trafficking
19 charges. Some of the information reported by CD3 was previously known to investigators
20 and has been independently corroborated through previous investigation. Other
21 information provided by CD3 was unknown to investigators. CD3 made statements
22 against self-interest during the interview. CD3 has a criminal history consisting of arrests
23 and/or convictions for: criminal mischief, interfering with report of domestic violence,
24 interfering with arresting officer, assault, harassment, reckless endangerment, vehicle
25 theft, driving with a suspended license, violation of conditions of release, DUI, failure to
26 stop at direction of police, larceny, trespassing, and tampering with Property. CD3 did
27

1 not provide any information during the interview that was later determined to be false or
2 misleading.

3 11. Cooperating Defendant 4 (CD4) was arrested in September 2023 by
4 investigators of the Ketchikan (Alaska) Police Department (KPD) and the Alaska State
5 Troopers (AST). CD4 provided information to investigators during a post-arrest
6 interview in November 2023. CD4 provided the information in exchange for potential
7 judicial consideration for future drug trafficking charges. Some of the information
8 reported by CD4 was previously known to investigators and has been independently
9 corroborated through previous investigation. Other information provided by CD4 was
10 unknown to investigators. CD4 made statements against self-interest during the
11 interview. CD4 has a criminal history consisting of arrests and/or convictions for drug
12 possession/manufacture/deliver, burglary, possession of stolen property, theft, receiving
13 stolen property, probation violation, unlawful firearm possession, DUI, obstruction and
14 assault. CD4 did not provide any information during the interview that was later
15 determined to be false or misleading.

16 **PROBABLE CAUSE**

17 12. Special Agents (SA) and Task Force Officers of the U.S. Drug
18 Enforcement Administration (DEA), Homeland Security Investigations (HSI), and
19 state/local law enforcement agencies are investigating a drug trafficking organization
20 (DTO) that is based in Mexico and is distributing controlled substances, including
21 methamphetamine, fentanyl powder, counterfeit oxycodone pills containing fentanyl¹ and
22 heroin, in the Western District of Washington.

23 13. During this investigation, which began in early 2022, Agents have
24 conducted multiple controlled purchases of fentanyl pills from the DTO, some of which
25 _____

26 ¹ Based on my training and experience, I know that drug trafficking organizations (especially those operating from
27 Mexico) clandestinely produce and traffic counterfeit pills that contain fentanyl. The pills are made to resemble 30
mg oxycodone prescription pills. The pills are typically blue in color and stamped with "M" on one side and "30" on
the other, and are commonly referred to as "M-30's" or "blues."

1 are described below. Agents have also interviewed multiple suspects, sources of
2 information and confidential sources who have knowledge of the DTO's operations.
3 These interviews, together with surveillance, controlled purchases, and reviews of cell
4 phones seized from suspects, have revealed that the DTO operates using a system of
5 "dispatchers" and "runners." In this system, a dispatcher, who is typically located in
6 Mexico, communicates with a drug buyer by telephone to arrange a drug transaction. The
7 dispatcher and the buyer agree on a specific amount of drugs at a specific price, and also
8 a location for the transaction. The dispatcher and then sends a runner or "driver" to
9 deliver the drugs to the buyer at the agreed upon location in Washington.

10 14. In December 2022, an undercover Task Force Officer (hereafter "UC")
11 began communicating with unidentified dispatchers for the DTO. The UC posed as a
12 drug buyer. The UC knew that one of the dispatchers used the nickname "Pocho."
13 Between December 2022 and April 2023, the UC communicated with Pocho, who used
14 multiple telephone numbers during that timeframe.

15 15. On Wednesday, January 17, 2023, the UC contacted Pocho by text message
16 and requested to purchase 1,000 fentanyl pills. The UC and Pocho agreed to conduct the
17 transaction at the parking lot of a shopping mall in King County, Washington.
18 Agents/officers established surveillance in the vicinity of the meet location. The UC was
19 provided with Official Funds to purchase the pills. The UC then drove to the meet
20 location, while under constant surveillance, and waited in the parking lot.

21 16. The UC communicated by text messages with Pocho, who directed the UC
22 to meet with an unidentified Hispanic male runner who was driving a blue Hyundai Santa
23 Fe. The UC exited the UC vehicle and entered the front passenger seat of the Santa Fe.
24 The driver and sole occupant of the Santa Fe was an unidentified Hispanic male who was
25 approximately 20 to 25 years old. The UC handed the Official Funds to the driver who
26 counted the money, then opened the center console and pulled out a zip lock bag
27 containing a crystal substance that the UC recognized as methamphetamine. The UC told

1 the driver that he had arranged to purchase pills. The driver used a cell phone to call
2 another Hispanic male and spoke in Spanish in the presence of the UC.

3 17. After the call was completed, the unidentified Hispanic male reached into a
4 duffle bag behind the front passenger seat and produced a zip lock bag containing
5 approximately 1,000 round, blue pills stamped "M" and "30," which he handed to the
6 UC. The UC then exited the Santa Fe, entered the UC vehicle and departed.

7 18. Since that initial controlled purchase, the UC conducted multiple
8 additional undercover purchases from the DTO. These purchases occurred in February
9 2023 in King County, Washington (when the UC purchased 2,000 fentanyl pills) and
10 March 2023 in Grays Harbor County, Washington (when the UC purchased 1,000
11 fentanyl pills and eight ounces of methamphetamine). All of the UC purchases occurred
12 similar to the one described above—the UC communicated by phone with Pocho or
13 another unidentified male dispatcher, who sent a driver to deliver the drugs to the UC.

14 **Interview with CD1 in May 2023 and Identification of Target Residence**

15 19. On May 5, 2023, I interviewed CD1, who was arrested in April 2023 in
16 Pierce County, Washington for drug trafficking and illegal firearms possession. At the
17 time of the interview, CD1 was incarcerated. During the interview, CD1 provided the
18 following information: CD1 stated that prior to his/her arrest, his/her source-of-supply for
19 illegal drugs, including fentanyl, methamphetamine, heroin and cocaine was an
20 unidentified male Hispanic male who is known to CD1 as "Pancho." CD1 has never met
21 or seen Pancho in person. Pancho speaks English and communicates with CD1 by phone
22 calls and text messages. CD1 was introduced to Pancho over the telephone approximately
23 one year ago. CD1 was introduced to Pancho as a drug buyer. From that time until the
24 present, CD1 has communicated with Pancho frequently to purchase illegal drugs. Prior
25 to his/her arrest, CD1 had purchased drugs from Pancho multiple times each week for
26 approximately four months. The purchases have varied in quantity from 3,000 to 35,000
27

1 fentanyl pills, as well as multiple ounces of powder fentanyl, methamphetamine, and
2 cocaine.

3 20. CD1 explained that when s/he wants to purchase drugs, s/he communicates
4 with Pancho and arranges to purchase a specific amount of drugs at a specific price. S/he
5 then provides a location for the transaction. Pancho then sends a "runner" or "driver" to
6 deliver the drugs to CD1. When the runner arrives at the location, CD1 meets the runner
7 and provides cash to purchase the drugs and the runner provides the drugs.

8 21. CD1 stated that he normally communicates with Pancho via WhatsApp
9 (through both messages and VOIP calls) but at times Pancho also communicates via
10 regular voice calls and text messages. CD1 stated that Pancho was using telephone
11 (206)775-0074 (TT18) in the months prior to CD1's arrest. This is the same number for
12 "Pocho" that the UC was communicating with in January 2023. Based on CD1's
13 statements that Pancho previously used TT18, which is the same number that the UC
14 used to communicate with Pocho, investigators believe that Pancho and Pocho are the
15 same person.

16 22. CD1 agreed to show agents his/her communications with Pancho and other
17 suspects in his/her cell phone, which s/he possessed at the time of arrest. CD1 showed me
18 WhatsApp communications between CD1 and TT34. I observed that the messages were
19 consistent with communications arranging and conducting drug transactions. I observed
20 in the messages that Pancho was supplying drugs to CD1. At one point in the
21 communications, I observed that CD1 and Pancho discussed a third person, who they
22 referred to as "Justin."

23 23. CD1 stated that "Justin" referred to Justin Dorsey. CD1 stated that Dorsey
24 is a drug distributor who operates in the Tacoma, Washington area and who works with
25 Pancho. CD1 positively identified a Washington driver's license photograph of Dorsey.
26 CD1 stated that Dorsey's drug supplier is Pancho and that Dorsey meets with Pancho's
27 runners on a daily basis to purchase drugs, which he then distributes to other drug

1 traffickers in the Tacoma area. CD1 knows this because of CD1's close association with
2 Dorsey.

3 24. CD1 stated that Dorsey lives at 21712 125th Street CT E, Bonney Lake,
4 Washington (the "Target Residence"). CD1 provided a telephone number that Dorsey
5 was using at the time of the interview: (253) 448-7792 ("TT36"). CD1 stated that Dorsey
6 drives a white Audi hatchback.

7 25. CD1 stated that Dorsey lives at the Target Residence with another
8 unidentified white male suspect, who is the owner or renter of the residence. CD1 stated
9 that s/he does not know the suspect's name, but does know that he frequently conducts
10 illegal drugs sales at the Target Residence.

11 26. Agents conducted a check of law enforcement databases, which showed
12 that Dorsey has a criminal record including arrests for theft, trafficking stolen property,
13 unlawful possession of a firearm and trespassing. On May 5, 2023, investigators
14 conducted surveillance at the Target Residence and observed a white Audi hatchback
15 parked in the driveway of the residence, along with several other vehicles.

16 27. On May 16, 2023, Judge Timothy L. Aschraft of the Superior Court of
17 Washington, Pierce County, authorized a warrant for real-time location data for Dorsey's
18 cell phone (TT36). DEA personnel began to receive real-time location data for TT36 on
19 May 17, 2023. Between that date and May 31, 2023, real-time location data for TT36
20 showed that the device frequented the area of the Target Residence. The radius of error of
21 the location data varied between 500 and 1500 meters, but the Target Residence was
22 located within the radius when the device was in that area. On or about May 31, 2023, the
23 cell phone provider ceased to provide real-time location data, indicating that Dorsey
24 ceased using the phone.

25 **Interview of CD2 and CD3 in September 2023**

26 28. On September 22, 2023, investigators of the DEA and Juneau Police
27 Department (JPD) detained CD2 and CD3 at the Juneau International Airport in Juneau,

1 Alaska as they deboarded a flight from Seattle, Washington. Based on the investigation,
2 investigators believed that CD2 and CD3 were transporting drugs to Alaska on the flight.
3 CD2 and CD3 were traveling together. Investigators separated CD2 and CD3 and spoke
4 with each suspect individually.

5 29. CD2 initially denied that s/he and CD3 had transported drugs from Seattle
6 to Juneau, while CD3 provided consent for investigators to search his/her carry-on
7 luggage. Inside the luggage, investigators located approximately 67.48 grams of white
8 powder (suspected fentanyl) in a plastic container. CD3 stated that the white powder was
9 fentanyl. As the interviews continued, both CD2 and CD3 agreed to cooperate with
10 investigators. CD2 also provided consent for investigators to search his/her handbag.

11 30. During a search of the handbag, investigators located and seized the
12 following substances: (1) approximately 792 grams of blue pills (suspected to contain
13 fentanyl), each of which was stamped "M" and "30" and contained in a plastic bag; (2)
14 approximately 97.31 grams blue pills (suspected to contain fentanyl), each of which was
15 stamped "M" and "30" and contained in an orange pill bottle; (3) approximately 74.18g
16 grams of white powder (suspected fentanyl), wrapped in clear plastic; (4) approximately
17 47.38 grams of a black substance (suspected heroin), wrapped in clear plastic; and (5)
18 approximately 31.0 grams of a powdery crystal substance (suspected methamphetamine),
19 contained in a small plastic bag.

20 31. CD2 admitted to transporting the drugs from Washington to Alaska. In
21 separate interviews, CD2 and CD3 provided information regarding the origin of the drugs
22 seized from their luggage.

23 32. CD2 stated that s/he traveled with CD3 from Alaska to Seattle, Washington
24 approximately two weeks prior to September 22, 2023. CD2 stated that s/he traveled to
25 the Seattle area to meet with his/her drug supplier, who lives in Bonney Lake,
26 Washington and who is known to CD2 as "Scott." CD2 described "Scott" as a short,
27

1 white male, with blonde hair, in his 40's. CD2 stated that "Scott" lives in a house in
2 Bonney Lake located on "125th, at the end of the road."

3 33. DEA SA Chernecke showed CD2 an overhead map (via Google Maps) of
4 125th Street Court East, Bonney Lake, Washington. CD2 identified 21712 125th Street
5 Court East (the Target Residence) on the overhead map as "Scott's" residence. SA
6 Chernecke then located a "street view" of the Target Residence via Google Maps. Prior
7 to showing CD2 the street view, CD2 accurately described the appearance of the Target
8 Residence to investigators. SA Chernecke then showed the street view of the Target
9 Residence to CD2, who positively identified the street view of the Target Residence as
10 "Scott's" residence. CD2 stated that "Scott" said that he has lived at the Target Residence
11 his whole life.

12 34. CD2 stated that s/he met Scott on multiple occasions while s/he was in the
13 Seattle area. CD2 initially met with Scott at a grocery store in Bonney Lake. During that
14 meeting, Scott provided CD2 several thousand blue "M-30" pills and instructed him/her
15 to transport the pills to Juneau and deliver them to a third party there. CD2 also
16 purchased additional "M-30" pills from Scott for "personal use." CD2 stated that the pills
17 which investigators seized from CD2's handbag are the pills that Scott delivered to
18 him/her. CD2 stated that s/he did not count or weigh the pills, but s/he believes that there
19 were approximately 5,000 pills. Scott told CD2 that in the future he plans to send a
20 shipment of 50,000 fentanyl pills to Juneau and requested that CD2 find people who are
21 willing to transport the pills from the Seattle area to Juneau.

22 35. CD2 stated that s/he met with Scott at a grocery store to conduct the
23 transaction because Scott did not want people to know where he lives. Later, after CD2
24 and CD3 were delayed in returning to Alaska from Seattle, CD2 and CD3 went together
25 to the Target Residence on multiple occasions and met with Scott there. CD2 and CD3
26 stayed at the Target Residence off-and-on for several days because they did not have
27

1 another place to stay while waiting to return to Alaska. CD2 stated that s/he did not see
2 any drugs in Scott's house, but that s/he was not allowed access to all areas of the house.

3 **Interview of CD3 on September 22, 2023**

4 36. During an interview with investigators, CD3 provided information that
5 corroborated the information provided by CD2. CD3 stated that s/he traveled with CD2
6 from Alaska to Seattle approximately two weeks prior to September 22, 2023. CD3 stated
7 that CD2 has a drug supplier who lives in the Seattle area. CD3 stated that CD2's drug
8 supplier as a white male, whose name is "Scott." CD3 described Scott as short,
9 approximately 45 years of age, with athletic build and short reddish hair. CD3 did not
10 know Scott prior to traveling to Seattle with CD2.

11 37. CD3 stated that, while in the Seattle area for approximately two weeks,
12 CD2 and CD3 met Scott on multiple occasions. The first time CD2 met with Scott, CD3
13 was not present. Later, CD3 accompanied CD2 to the Scott's residence on multiple
14 occasions.

15 38. At first, CD3 was not allowed to enter the residence and waited in the car
16 outside while CD2 met with Scott. CD2 described Scott's house as "really nice" (i.e. well
17 maintained), fenced, with large trees and plants and a well landscaped yard, with a garage
18 on the right side of the house. The description provided by CD2 matches the physical
19 description of the Target Residence.

20 39. On a subsequent visit to the Scott's residence, CD2 introduced CD3 to
21 Scott, and CD3 entered the Target Residence while CD2 met with Scott. CD3 overheard
22 Scott discussing "50,000 pills" with CD2. CD3 did not see drugs inside the Target
23 Residence, but s/he was not allowed access to all areas of the house.

24 **Interview of CD4 in October 2023**

25 40. During the past several months, investigators of the Ketchikan (Alaska)
26 Police Department (KPD) have been investigating a network of drug traffickers who
27 distribute illegal drugs, including fentanyl, heroin, and methamphetamine, in Alaska. The

1 investigation revealed that the group has drug sources of supply in the Seattle,
2 Washington area. On October 20, 2023, KPD officers executed a search warrant at a
3 hotel room in Ketchikan, Alaska. CD4 was present in the hotel room with another suspect
4 at that time. Both CD4 and the other suspect were arrested for various drug trafficking
5 crimes. During a search of the hotel room, investigators seized approximately 850 “M-
6 30” pills (suspected to contain fentanyl) and 56.4 grams of methamphetamine.

7 41. During a post-arrest interview on November 7, 2023, CD4 provided
8 information to investigators of the KPD, the Alaska State Troopers and the Alaska
9 Department of Corrections. CD4 identified Scott TUGBY as a drug trafficker who
10 resides and operates in Bonney Lake, Washington. CD4 knows TUGBY personally, as
11 well as multiple other individuals who are supplied drugs by TUGBY. CD4 stated that
12 TUGBY supplies multiple drug traffickers who distribute drugs in the Seattle area. CD4
13 also stated that TUGBY coordinates for couriers to transport illegal drugs from the
14 Seattle area to Alaska, where the drugs are sold.

15 42. CD4 stated that TUGBY resides at a house in Bonney Lake. CD4 does not
16 know the address of TUGBY’s residence, but s/he has been to the residence on multiple
17 occasions. CD4 provided a physical description TUGBY’s residence, which was
18 consistent with the physical description of the Target Residence. CD4 stated that
19 TUGBY’s residence has a mechanical/electrical gate, as well as security cameras. I am
20 familiar with the Target Residence from conducting surveillance there, and I know that
21 the Target Residence has a mechanical gate in the front and security cameras. CD4 drew
22 a sketch of the Target Residence, which investigators later provided to me. I observed
23 that the sketch is consistent with the Target Residence, including the location/orientation
24 of the garage, driveway, front door and the overall layout of the residence.

25 43. CD4 stated that TUGBY works with Mexican drug suppliers. CD4 was at
26 TUGBY’s residence multiple times in the summer of 2023 and observed unidentified
27 Mexican males arrive at TUGBY’s residence to meet with TUGBY. On one occasion,

1 CD4 observed TUGBY give a backpack full of U.S. currency to one of the Mexican
2 males. In approximately July 2023, CD4 was inside TUGBY's residence and observed
3 that TUGBY had a large amount of fentanyl powder in the residence. CD4 estimated the
4 quantity to be approximately 40 pounds. CD4 stated that s/he observed a safe in a back
5 room of TUGBY's residence where TUGBY stores drugs and cash.

6 **Surveillance of TUGBY at the Target Residence**

7 44. In November 2023, I conducted a search of Washington Department of
8 Licensing (DOL) databases and located a Washington driver's license for TUGBY. I
9 observed that TUGBY has a listed address of 21712 125th Street Court East, Bonney
10 Lake (the Target Residence). I also conducted law enforcement database checks
11 regarding TUGBY and observed that he has a criminal record dating back to 1999 that
12 includes multiple felony and misdemeanor arrests for drug trafficking, theft, assault and
13 other crimes.

14 45. In November 2023, I received information from DEA Task Force Officer
15 (TFO) Todd Morrow, who is a Detective for the Bonney Lake Police Department
16 (BLPD). TFO Morrow, who has worked as a patrol officer and detective for BLPD since
17 2005, is familiar with TUGBY. TFO Morrow is aware from his work as a patrol officer
18 and detective for BLPD that TUGBY has been involved in drug trafficking and other
19 criminal activity in the Bonney Lake area since at least 2005.

20 46. In November 2023, I conducted searches of open source databases
21 regarding TUGBY and the Target Residence. I observed that the Target Residence is
22 listed as TUGBY's residence in multiple open source records with cell phone providers,
23 State of Washington court records and police reports from State of Washington law
24 enforcement agencies.

25 47. On November 16, 2023, DEA agents conducted surveillance at the Target
26 Residence. Shortly after establishing surveillance, agents observed TUGBY standing
27 outside the Target Residence in the driveway. Agents recognized TUGBY from his

1 Washington Department of Licensing (DOL) photograph. Agents observed TUGBY
2 using a pressure washer to clean the driveway and the street in front of the Target
3 Residence. A short time later, TUGBY departed the Target Residence driving a gold
4 sedan. TUGBY drove to a Home Depot in Bonney Lake. He entered the store briefly and
5 then returned to the Target Residence.

6 48. While conducting surveillance at the Target Residence on November 16,
7 2023, agents did not see anyone other than TUGBY at the residence. However, agents do
8 believe that other individuals likely reside at the residence. On December 14, 2023, I
9 searched DOL databases and observed that Gregory Tugby and Diane Tugby (believed to
10 be TUGBY's parents) have driver's licenses listed at the Target Residence. I then
11 conducted a search of open sources and observed that Gregory Tugby passed away in
12 2015. Additional, DOL records show that Krista Franco has a driver's license listed at the
13 target residence.

14 49. On the morning of January 4, 2023, DEA agents again conducted
15 surveillance at the Target Residence. After establishing surveillance, agents observed
16 Tugby walking in front of the Target Residence, toward the front door. Several hours
17 later, agents observed a silver Honda sedan back out of the driveway of the Target
18 Residence. A check of DOL records showed that the Honda is currently registered to
19 Krista Franco at the Target Residence.

20 50. Agents followed the Honda, which stopped at a residence several blocks
21 away. Less than five minutes later, the Honda departed the residence and traveled to
22 another nearby residence, where it stopped for approximately 10 minutes. The Honda
23 then returned to the Target Residence, where it stopped for less than five minutes, then
24 departed again. Agents continued to follow the Honda as it traveled to a restaurant in
25 Tacoma, Washington. At that location, agents were able to clearly observe the occupants
26 of the Honda. Agents recognized Tugby as the front-seat passenger and Franco as the
27 driver of the Honda.

TACTICS USED BY DRUG TRAFFICKERS

51. Based upon my training, experience, and participation in this and other investigations involving drug trafficking, my conversations with other experienced agents and law enforcement agents with whom I work, and interviews of individuals who have been involved in the trafficking of methamphetamine, fentanyl, heroin, cocaine and other drugs, I have learned and know the following:

a. It is common for drug traffickers to hide proceeds of illegal drug sales and records of illegal drug transactions in secure locations within their residences, stash houses, storage units, garages, outbuildings and/or vehicles on the property for their ready access and to conceal them from law enforcement authorities.

b. It is common to find papers, letters, billings, documents, and other writings, which show ownership, dominion, and control of businesses, residences, and/or vehicles in the residences, stash houses, storage units, garages, outbuildings and/or vehicles of drug traffickers. Items of personal property that tend to identify the persons in residence, occupancy, control, or ownership of the premises also include canceled mail, deeds, leases, rental agreements, photographs, personal telephone books, diaries, utility and telephone bills, statements, identification documents, keys, financial papers, rental receipts and property ownership papers, personal and business telephone and address books and telephone toll records, and other personal papers or identification cards in the names of subjects involved in the criminal activity being investigated.

c. Drug traffickers frequently amass large amounts of proceeds, in the form of cash, from the illegal sale of drugs that they attempt to legitimize or “launder.” To accomplish this goal, drug traffickers use financial institutions and their attendant services, securities, cashier’s checks, safe deposit boxes, money drafts, real estate, shell operations, and business fronts. Persons involved in drug trafficking and/or money laundering keep papers relating to these activities for future reference, including federal and state tax records, loan records, mortgages, deeds, titles, certificates of ownership,

1 records regarding investments and securities, safe deposit box rental records and keys,
2 and photographs. I know from my training and experience that often items of value are
3 concealed by persons involved in large-scale drug trafficking inside of safes, lock boxes,
4 and other secure locations within their residences, outbuildings, and vehicles.

5 d. Drug traffickers often place assets in names other than their own to
6 avoid detection by investigative/police agencies, and even though these assets are in the
7 names of other individuals or businesses, the drug traffickers actually own and continue
8 to use these assets and exercise dominion and control over them.

9 e. Drug traffickers often document aspects of their criminal conduct
10 through photographs or videos of themselves, their associates, their property, and their
11 products, including drugs and drug proceeds. Drug traffickers usually maintain these
12 photographs or videos in their possession.

13 f. Drug traffickers often maintain large amounts of U.S. currency in
14 order to maintain and finance their ongoing illegal drug trafficking business. Often, drug
15 traffickers from other countries operating in the United States use wire remitters and bulk
16 cash transfers to transfer currency to co-conspirators living in other states or countries.

17 g. Drug traffickers commonly have in their possession, on their person,
18 and at their residences and/or in their storage units, firearms and other weapons, which
19 are used to protect and secure their property.

20 h. Drug traffickers use mobile electronic devices including cellular
21 telephones and other wireless communication devices to conduct their illegal activities.
22 They often carry these mobile devices on their persons. Traffickers of controlled
23 substances often use these devices to maintain records of addresses, vehicles, or
24 telephone numbers that reflect names, addresses, vehicles, and/or telephone numbers of
25 their suppliers, customers and associates in the trafficking organization. Drug traffickers
26 frequently change their cellular telephone numbers to avoid detection by law
27

1 enforcement, and it is common for drug traffickers to use more than one cellular
2 telephone at any one time.

3 i. Drug traffickers use cellular telephones to maintain contact with
4 their suppliers, distributors, and customers. They prefer cellular telephones because, first,
5 they can be purchased without the location and personal information that landlines
6 require. Second, they can be easily carried to permit the user maximum flexibility in
7 meeting associates, avoiding police surveillance, and traveling to obtain or distribute
8 drugs. Third, they can be passed between members of a drug conspiracy to allow
9 substitution when one member leaves the area temporarily. Since the use of cellular
10 telephones became widespread, every drug trafficker with which I have interacted has
11 used one or more cellular telephones for his or her drug business. I also know that it is
12 common for drug traffickers to retain in their possession cellular phones that they
13 previously used, but have deactivated or discontinued using. Based on my training and
14 experience, the data maintained in a cellular telephone used by a drug trafficker is often
15 evidence of a crime or crimes. This includes the following:

16 j. The assigned number to the cellular telephone (known as the mobile
17 directory number or MDN), and the identifying telephone serial number (Electronic
18 Serial Number, or ESN), (Mobile Identification Number, or MIN), (International Mobile
19 Subscriber Identity, or IMSI), or (International Mobile Equipment Identity, or IMEI) are
20 important evidence because they reveal the service provider, allow us to obtain subscriber
21 information, and uniquely identify the telephone. This information can be used to obtain
22 toll records, to identify contacts by this telephone with other cellular telephones used by
23 co-conspirators, to identify other telephones used by the same subscriber or purchased as
24 part of a package, and to confirm if the telephone was contacted by a cooperating source.

25 k. The stored list of recent received calls and sent calls is important
26 evidence. It identifies telephones recently in contact with the telephone user. This is
27 valuable information in a drug investigation because it will identify telephones used by

1 other members of the organization, such as suppliers, distributors and customers, and it
2 confirms the date and time of contacts. If the user is under surveillance, it identifies what
3 number he called during or around the time of a drug transaction or surveilled meeting.
4 Even if a contact involves a telephone user not part of the conspiracy, the information is
5 helpful (and thus is evidence) because it leads to friends and associates of the user who
6 can identify the user, help locate the user, and provide information about the user.
7 Identifying a defendant's law-abiding friends is often just as useful as identifying his
8 drug-trafficking associates.

9 l. Stored text messages are important evidence, similar to stored
10 numbers. Agents can identify both drug associates, and friends of the user who likely
11 have helpful information about the user, his location, and his activities.

12 m. Photographs on a cellular telephone are evidence because they help
13 identify the user, either through his or her own picture, or through pictures of friends,
14 family, and associates that can identify the user. Pictures also identify associates likely to
15 be members of the drug trafficking organization. Some drug traffickers photograph
16 groups of associates, sometimes posing with weapons and showing identifiable gang
17 signs. Also, digital photos often have embedded "geocode" information within them.
18 Geocode information is typically the longitude and latitude where the photo was taken.
19 Showing where the photo was taken can have evidentiary value. This location
20 information is helpful because, for example, it can show where coconspirators meet,
21 where they travel, and where assets might be located.

22 n. Stored address records are important evidence because they show the
23 user's close associates and family members, and they contain names and nicknames
24 connected to phone numbers that can be used to identify suspects.

25 52. It is common for drug traffickers to possess drugs, drug paraphernalia, and
26 other items which are associated with the sale and use of controlled substances such as
27

1 scales, containers, cutting agents, and packaging materials in their residences, stash
2 houses, storage units, garages, outbuildings and/or vehicles on their property.

3 53. Drug traffickers frequently try to conceal their identities by using
4 fraudulent names and identification cards. Once identities have been created or stolen
5 from other citizens, drug traffickers use those identifications to falsify records such as
6 Department of Licensing records and phone records for the purpose of theft of services
7 and to evade detection by law enforcement.

8 54. It is a common practice for drug traffickers to maintain records relating to
9 their drug trafficking activities in their residences, stash houses, storage units, garages,
10 outbuildings and/or vehicles. Because drug traffickers in many instances will “front” (that
11 is, sell on consignment) controlled substances to their associates, or alternatively, will be
12 “fronted” these items from their suppliers, such record keeping is necessary to keep track
13 of amounts paid and owed, and such records will also be maintained close at hand so as
14 to readily ascertain current balances. These records include “pay and owe” records to
15 show balances due for drugs sold in the past (pay) and for payments expected (owe) as to
16 the trafficker’s suppliers and distributors, telephone and address listings of clients and
17 suppliers, and records of drug proceeds. These records are commonly kept for an
18 extended period.

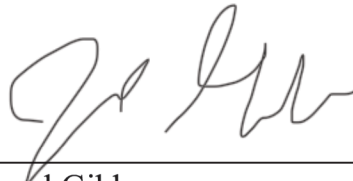
19 55. Drug traffickers often maintain books, records, receipts, notes, ledgers,
20 airline tickets, money orders, and other papers relating to the transportation and
21 distribution of controlled substances. These documents whether in physical or electronic
22 form, are maintained where the traffickers have ready access to them. These documents
23 include travel records, receipts, airline tickets, auto rental agreements, invoices, and other
24 memorandum disclosing acquisition of assets and personal or business expenses. I also
25 know that such records are frequently maintained in drugs traffickers’ residences, stash
26 houses, storage units, garages, outbuildings and/or vehicles.

CONCLUSION

56. Based on the foregoing, I submit that probable cause exists to search the **Target Residence** and the person of **Scott TUGBY** for evidence, fruits, and instrumentalities of violations of Title 21, United States Code, Sections 841(a)(1) and 846.

57. This affidavit and the requested warrant are being presented by reliable electronic means, pursuant to Federal Rules of Criminal Procedure 4.1 and 41(d)(3).

58. This Court has jurisdiction to issue the requested warrant because it is “a court of competent jurisdiction” as defined by 18 U.S.C. § 2711. 18 U.S.C. §§ 2703(a), (b)(1)(A) & (c)(1)(A). Specifically, the Court is “a district court of the United States . . . that has jurisdiction over the offense being investigated.” 18 U.S.C. § 2711(3)(A)(i).



Jared Gibb
Special Agent
Drug Enforcement Administration

The above-named agent provided a sworn statement attesting to the truth of the contents of the foregoing affidavit by telephone on this 8th day of January, 2024.



The Honorable Theresa L. Fricke
United States Magistrate Judge

ATTACHMENT A-1

Location to be Searched

21712 125th Street Court East, Bonney Lake, Washington 98391 (**Target Residence**)

This location is a single family, two-story residence that is brown in color with white trim and a brown composite tile roof, that is pictured in the photograph below. The numbers “21712” are affixed on the north-facing side of the residence to the right of the front door and to the left of the garage door.

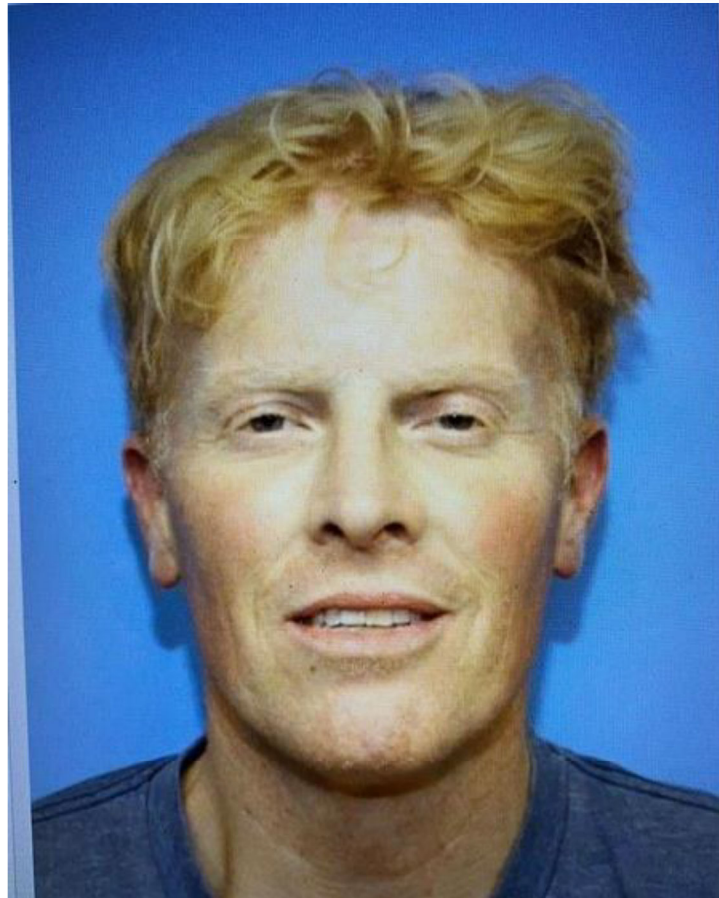
The search is to include all rooms within the residence, and any garages or storage rooms, attached or detached, and any vehicles found within the curtilage of the residence, whether or not particularly named among the vehicles for which specific search authorization is sought, and any cellular phones found therein.



ATTACHMENT A-2

Individual to be Searched

The person of Scott TUGBY, associated with the **Target Residence** at 21712
125th Street Court East, Bonney Lake, Washington 98391 (pictured in the photo below).



ATTACHMENT B

Items to be Seized

Evidence, fruits, and instrumentalities of violations of Title 21, United States Code, Sections 841(a)(1) and 846 (distribution and possession with intent to distribute controlled substances, and conspiracy to commit these offenses) and occurring in or after July 2021, as follows:

- 1) Any suspected controlled substances, including, for example, fentanyl, methamphetamine and heroin;
- 2) Paraphernalia for packaging, smuggling, processing, diluting, manufacturing, weighing, and distributing controlled substances, for example: hidden compartments, scales, blenders, funnels, sifters, grinders, glass panes, mirrors, razor blades, plastic bags, heat sealing devices, and diluting agents such as inositol, vitamin B12, etc.;
- 3) Drug Transaction Records: Documents such as ledgers, receipts, notes, invoices, and similar items relating to the acquisition, transportation, and distribution of controlled substances;
- 4) Customer and Supplier Information: Items identifying drug customers and drug suppliers, such as telephone records, personal address books, correspondence, diaries, calendars, notes with phone numbers and names, “pay/owe sheets” with drug amounts and prices, maps or directions, and similar items;
- 5) Books, records, receipts, notes, ledgers, and other documents relating to the distribution of controlled substances and communications between members of the conspiracy;
- 6) Photographs, video tapes, digital cameras, and similar items depicting friends and relatives of the property occupants, or suspected buyers or sellers of controlled substances, controlled substances, and assets derived from the distribution of controlled substances;

1 7) Financial records relating to controlled substances income and
2 expenditures of money and wealth, to wit: money orders, wire transfer records, cashier's
3 checks and receipts, bank account records, passbooks, tax records, safe deposit box keys
4 and records, checkbooks, and check registers, as well as precious metals and gems such
5 as gold, silver, diamonds, etc.;

6 8) Items of personal property that tend to identify the person(s) in
7 residence, occupancy, control, or ownership of the premises and/or vehicle, including
8 canceled mail, deeds, leases, rental agreements, photographs, personal telephone books,
9 diaries, utility and telephone bills, statements, identification documents, and keys;

10 9) Identification documents, including passports, visas, alien
11 registration cards, any travel documents, immigration documents, driver's licenses,
12 identification cards, and social security cards;

13 10) Documents indicating travel in interstate and foreign commerce, to
14 include airline tickets, notes and travel itineraries; airline schedules; gas receipts, bills;
15 charge card receipts; hotel, motel, and car rental statements; correspondence with travel
16 agencies and other travel related businesses; airline, rental car, and hotel frequent flier or
17 user cards and statements; passports and visas; telephone bills; photographs of foreign
18 locations; and papers relating to domestic and international travel;

19 11) Safes and locked storage containers, and the contents thereof that are
20 otherwise described in this document;

21 12) Latent prints and identifying material from items at the residences
22 and vehicles;

23 13) Stored footage from surveillance systems at the locations to be
24 searched which identifies the person(s) in residence, occupancy, control, or ownership of
25 the premises, and suspected buyers or sellers of controlled substances;
26
27

1 14) Documents and other items tending to show the existence of other
2 stored controlled substances, including rental agreements, receipts, keys, notes, and maps
3 specially concerning off-site storage rooms and/or lockers;

4 15) Weapons and other dangerous items, to include rifles, shotguns,
5 knives, and handguns, as well as ammunition, shell casings, bullets, magazines, cleaning
6 equipment, holsters, gun boxes and cases, trigger locks, gun safes, gun parts and tools,
7 targets, receipts, bills of sale, and body armor;

8 16) Address books, daily logs, daily telephone diaries, calendars, and
9 appointment books;

10 17) United States currency, gift cards, cash cards, and records relating to
11 income derived from, or used or intended to be used to facilitate, buying, selling, and/or
12 distributing controlled substances, and expenditures of money and wealth, for example,
13 money orders, wire transfers, cashier's checks and receipts, passbooks, checkbooks,
14 check registers, securities, precious metals, jewelry, automobiles, bank statements and
15 other financial instruments, including stocks or bonds in amounts indicative of the
16 proceeds of the aforementioned crimes of investigation;

17 18) Cell phones and other communications devices. If such cell phones
18 or other communications devices are seized, the government may search them without
19 further authorization for the following items:

- 20 a. Assigned phone number and identifying telephone serial number
21 (ESN, MIN, IMSI, or IMEI);
22 b. Stored list of recent received, sent, and missed calls;
23 c. Stored contact information;
24 d. Stored photographs, videos, addresses, calendar notes, notes, map
25 history, or documents/files of or related to narcotics, currency,
26 firearms or other weapons, evidence of suspected criminal activity,
27 and/or the user of the phone or suspected co-conspirators, including

any embedded GPS data or other metadata associated with those photographs, videos, and other items;

- e. Stored text messages related to the aforementioned crimes of investigation, including Apple iMessages, Blackberry Messenger messages, or other similar messaging services where the data is stored on the telephone;
- f. Stored emails related to the aforementioned crimes of investigation;
- g. Stored voicemails related to the aforementioned crimes of investigation;
- h. Stored web browsing history related to the aforementioned crimes of investigation;
- i. Stored social media content/history related to the aforementioned crimes of investigation;
- j. Stored banking or money transfer history, including application based money transfer data/history (i.e. Venmo or CashApp account data/history); and
- k. Stored location data, including from any map applications on the cell phone.

THE SEIZURE OF CELL PHONES AND/OR THEIR COMPONENTS AS SET FORTH HEREIN IS SPECIFICALLY AUTHORIZED BY THIS SEARCH WARRANT, NOT ONLY TO THE EXTENT THAT SUCH CELL PHONES CONSTITUTE INSTRUMENTALITIES OF THE CRIMINAL ACTIVITY DESCRIBED ABOVE, BUT ALSO FOR THE PURPOSE OF THE CONDUCTING OFF-SITE EXAMINATIONS OF THEIR CONTENTS FOR EVIDENCE, INSTRUMENTALITIES, OR FRUITS OF THE AFOREMENTIONED CRIMES.